

Remarks

The present response is filed with a Request for Continued Examination (RCE), and is to the Office Action mailed in the above referenced case on November 30, 2004, made Final. Claims 1-33 are presented below for examination. The Examiner has maintained the rejection of claims 1-3, 12-17, 19-21, 23-24, 26-28 and 31-33 as being anticipated by Fawcett, and the rejection of claims 4-11, 18, 22, 25 and 29-30 as being unpatentable over Fawcett in view of Rakavy.

Applicant has again carefully studied the prior art references and the Examiner's statements of the instant Office Action. In response, applicant further amends the language of the base claims to more particularly point out and distinctly claim the subject matter of applicant's invention regarded as patentable, and to distinguish unarguably over the prior art presented. Applicant points out and argues the key limitations of applicant's invention as embodied in the claims as amended, which is at the heart of applicant's invention, and clearly not explicitly taught or suggested in the prior art references, either singly or in combination. Applicant further slightly amends some of the language of the base claims, again for the benefit of the Examiner's more clear understanding, and to further clarify and slightly broaden some limitations in the claim language.

Applicant amends the language of claim 1 to more particularly recite applicant's system enabling agents of the communications center to best communicate with the clients and client devices, wherein the client and client device status monitored and collected by the system includes on-line/off-line status of the client and client device, and the client's callback preferences including medium preferences and client device preferences. Applicant reproduces claim 1 as amended below.

Claim 1 as amended now recites:

1. (amended) In a network including a communication center and a plurality of clients using communication devices, a system enabling agents of the communication center to

best communicate with the clients and client devices, including configuring call-back options and preferences, the system comprising:

customer presence software executing at each client device for monitoring client and client device status; and

a communication-center presence software executing in the communication center for receiving information from the customer presence software;

characterized in that the customer presence software monitors real-time client and client device status at each client device including on-line/off-line status of the client and client device, and the client's callback preferences including medium preferences and client device preferences, communicates the status information to the communication center presence software, and the communication center presence software integrates the received status information and provides the integrated result to the agents of the communication center.

Applicant's method claim 19 is accordingly amended to also recite the patentable subject matter as recited in claim 1 as amended.

Applicant's previous arguments presented in the last response that Fawcett fails in viewing user status and real-time functionality were not persuasive to the Examiner, necessitating some of applicant's claim amendments in the present response. The Examiner, has stated that, with regards to applicant's depending claim 7, Fawcett/Rakavy, discloses or suggests wherein the client-status information includes client callback preferences obtainable by the support center server, as taught in applicant's invention, and now recited in applicant's base claims as amended.

However, applicant must argue that the combined references fail to teach or suggest an instance of presence software executing on each client device providing not only real-time on-line/off-line client status, but also specific callback preferences including medium preferences and client device preferences, and applicant disagrees that they are obvious features inherently found in the art of endeavor.

The reference of Rakavy clearly fails to show anything having to do with, or have

motivation for monitoring and obtaining client and client device status enabling agents of the communication center the best communicate with the client. The primary reference of Fawcett, similarly, fails to teach or suggest this, because Fawcett teaches a manner in which the support agent may diagnose client computer problems, and identify the client via a client-initiated login and password process, in which the login may include a matching computer process identifier (UUID) unique to the client in order to differentiate between clients and non-clients for security purposes (column 2, lines 3-31) and (col. 5, lines 22-35). Fawcett does not teach or suggest presence software executing at each client device, Fawcett teaches diagnostic software for diagnosing PC problems, software which may or may not reside on the client PC. Fawcett teaches the diagnostic software may be downloadable to the PC if it is determined that it does not reside and execute therein. A support engineer determines by client login and information about the client PC obtained from the diagnostic software, whether or not a patch or fix is required, and then makes the software solution available for download to the customer's computer.

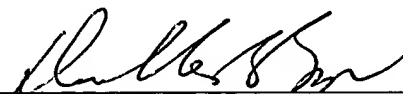
Applicant believes that there is no motivation in Fawcett to suggest that the client status including the client's callback preferences including medium preferences and client device preferences, as taught and claimed by applicant. Fawcett teaches that the diagnostic software or software patches or fixes may be downloaded by the customer's PC over a regular analog telephone line, so there is no requirement that the client and client device status include medium (such as data transfer protocol, etc.) preferences and client device preferences.

Applicant therefore believes that independent claims 1 and 19 as amended are now clearly patentable over the prior art references, either singly or in combination, as argued above by applicant. The Examiner has rejected claims 4-11, 18, 22, 25 and 29-30 as being unpatentable over Fawcett in view of Rakavy. In view of applicant's claim amendments and arguments presented above, applicant believes that the combined art now clearly fails to teach or suggest all of the limitations of applicant's claims as amended. All of the rejected claims are depending claims, and in view of applicant's amendments and arguments over the prior art on behalf of claims 1 and 19, depending

claims 2-18 and 20-33 are patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims have been demonstrated to be patentable as amended over the art of record, applicant respectfully requests reconsideration after Final, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this amendment, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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